

Docket No.: KC-0040

#8
DACS
~~PATENT~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mike KINSELLA and John Law McGUIRE

Serial No. 09/592,563

Confirm. No.: 3714

Filed: June 12, 2000

For: MESSAGING SYSTEM

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Group Art Unit: 2682
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Examiner: Lee Nguyen
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Customer No.: 34610
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OFFICE OF PETITIONS

PETITION FOR REVIVAL OF A PATENT APPLICATION
UNINTENTIONALLY ABANDONED UNDER 37 C.F.R. 1.137(b)

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Petition
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee:
- ☒ Small entity - fee \$675.00 (37 C.F.R. 1.17(m)). Applicant claims small entity status.
- ☐ Other than small entity - fee \$_____ (37 C.F.R. 1.17(m))

11/13/2003 SZEWDIE1 00000120 09592563

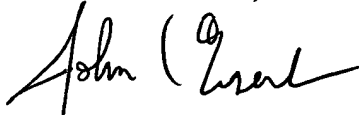
01 FC:2453

665.00 OP

Repln. Ref: 11/13/2003 SZEWDIE1 0013044500
DB:160607 Name/Number:09592563
FC: 9204 \$10.00 CR

2. Reply and/or fee
- A. The reply and/or fee to the above-noted Office Action in the form of an Amendment and Petition for Extension of Time.
☐ has been filed previously on _____.
☒ is enclosed herewith.
- B. The issue fee of \$_____.
☐ has been paid previously on _____.
☐ is enclosed herewith.
3. Terminal disclaimer and disclaimer fee
☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer (and disclaimer fee (37 C.F.R. §1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (See PTO/SB/63).
4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.
5. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP


John C. Eisenhart
Registration No. 38,128

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 502-9440 JCE/plg

Date: November 12, 2003

Please direct all correspondence to Customer Number 34610

Enclosures: ☒ Fee payment
☒ Reply
☐ Terminal Disclaimer Form
☒ Petition for Extension of Time